

1 MCGREGOR W. SCOTT  
United States Attorney  
2 ADRIAN T. KINSELLA  
Assistant United States Attorney  
3 501 I Street, Suite 10-100  
Sacramento, CA 95814  
4 Telephone: (916) 554-2700  
Facsimile: (916) 554-2900  
5  
6 Attorneys for Plaintiff  
United States of America

7  
8 IN THE UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA  
10

11 UNITED STATES OF AMERICA,  
12  
Plaintiff,  
13  
v.  
14 MICHAEL GARCIA,  
also known as "Smokes,"  
15 NANCY DALILA GARCIA ESCOBAR, and  
TYLOR JEFFERY COMBS,  
16  
17 Defendants.

CASE NO. 2:20-CR-0181-JAM

STIPULATION REGARDING EXCLUDABLE  
TIME PERIODS UNDER SPEEDY TRIAL ACT AS  
TO DEFENDANTS MICHAEL AND NANCY  
GARCIA; FINDINGS AND ORDER

DATE: February 23, 2021  
TIME: 9:30 a.m.  
COURT: Hon. John A. Mendez

18  
19 **STIPULATION**

- 20 1. By previous order, this matter was set for a status hearing on February 23, 2021.
- 21 2. Defendant Tylor Combs desires to maintain the hearing date in order to conduct a status  
22 of counsel hearing.
- 23 3. By this stipulation, defendants Michael and Nancy Garcia now move to continue their  
24 status conference until April 20, 2021, and to exclude time between February 23, 2021, and April 20,  
25 2021, under Local Code T4.
- 26 4. The parties agree and stipulate, and request that the Court find the following:
- 27 a) The government has represented that the discovery associated with this case  
28 includes over 20 gigabytes of evidence in electronic form, including multiple hours of covert

1 recordings, pictures, investigative reports, and related documents. All of this discovery has been  
2 either produced directly to counsel and/or made available for inspection and copying.  
3 Additionally, the government is preparing approximately 30 more gigabytes of additional  
4 discovery.

5 b) Counsel for defendants Michael and Nancy Garcia desire additional time to  
6 consult with their clients, review the current discovery, conduct investigation and research  
7 related to the charges, to review and copy discovery for this matter, to discuss potential  
8 resolutions with their clients, and to otherwise prepare for trial.

9 c) Counsel for defendants Michael and Nancy Garcia believe that the failure to grant  
10 the above-requested continuance would deny them the reasonable time necessary for effective  
11 preparation, taking into account the exercise of due diligence.

12 d) The government does not object to the continuance.

13 e) Based on the above-stated findings, the ends of justice served by continuing the  
14 case as requested outweigh the interest of the public and the defendant in a trial within the  
15 original date prescribed by the Speedy Trial Act.

16 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,  
17 et seq., within which trial must commence, the time period of February 23, 2021 to April 20,  
18 2021, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code  
19 T4] because it results from a continuance granted by the Court at defendant's request on the basis  
20 of the Court's finding that the ends of justice served by taking such action outweigh the best  
21 interest of the public and the defendant in a speedy trial.

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5. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: February 17, 2021

McGREGOR W. SCOTT  
United States Attorney

/s/ ADRIAN T. KINSELLA  
ADRIAN T. KINSELLA  
Assistant United States Attorney

Dated: February 17, 2021

/s/ LEXI P. NEGIN  
LEXI P. NEGIN  
Counsel for Defendant  
MICHAEL GARCIA  
(as authorized on February 9, 2021)

Dated: February 17, 2021

/s/ MICHAEL D. LONG  
MICHAEL D. LONG  
Counsel for Defendant  
NANCY DALILA GARCIA ESCOBAR  
(as authorized on February 13, 2021)

Dated: February 17, 2021

/s/ DAVID GARLAND  
DAVID GARLAND  
Counsel for Defendant  
TYLOR JEFFERY COMBS  
(as authorized on February 16, 2021)

### FINDINGS AND ORDER

IT IS SO FOUND AND ORDERED this 17<sup>th</sup> day of February, 2021.

/s/ John A. Mendez  
THE HONORABLE JOHN A. MENDEZ  
UNITED STATES DISTRICT COURT JUDGE